

**House Study Bill 678 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON LUNDGREN)

**A BILL FOR**

1 An Act relating to the licensing of abortion facilities,  
2 including fees, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 146F.1 Definitions.

2 As used in this chapter, unless the context otherwise  
3 provides:

4 1. "Abortion" means the termination of a human pregnancy  
5 with the intent other than to produce a live birth or to remove  
6 a dead fetus.

7 2. "Abortion facility" means a place where abortions,  
8 including medication abortions, are performed.

9 3. "Abortion-inducing drug" means a drug, medicine, mixture,  
10 or preparation, when prescribed or administered with the intent  
11 to terminate the pregnancy of a woman known to be pregnant.

12 "Abortion-inducing drug" includes mifepristone and misoprostol.

13 4. "Department" means the department of inspections and  
14 appeals.

15 5. "Medication abortion" means an abortion induced by an  
16 abortion-inducing drug.

17 Sec. 2. NEW SECTION. 146F.2 Abortion facility license.

18 A person shall not establish or operate an abortion facility  
19 in this state without an appropriate license issued pursuant  
20 to this chapter. Each abortion facility shall have a separate  
21 license. An abortion facility license is not transferable or  
22 assignable.

23 Sec. 3. NEW SECTION. 146F.3 Exceptions to abortion facility  
24 license requirement.

25 The following facilities are exempt from the licensing  
26 requirement pursuant to this chapter:

27 1. A hospital licensed pursuant to chapter 135B.

28 2. The office of a physician who is licensed pursuant to  
29 chapter 148, unless the physician primarily performs abortions.

30 Sec. 4. NEW SECTION. 146F.4 Application for abortion  
31 facility license — contents — fee — inspection — renewal —  
32 penalties.

33 1. An applicant for an abortion facility license shall  
34 submit an application to the department on a form prescribed  
35 by the department. The application shall be accompanied by

1 a nonrefundable license fee in an amount, not to exceed two  
2 thousand dollars, established by rule of the department adopted  
3 pursuant to chapter 17A.

4 2. The application shall contain evidence that there is  
5 at least one physician on the staff of the facility licensed  
6 pursuant to chapter 148. The department shall issue a license  
7 if, after inspection, the department finds that the applicant  
8 and the abortion facility meet the requirements of this chapter  
9 and the rules adopted pursuant to chapter 17A to administer  
10 this chapter.

11 3. As a condition for renewal of a license, a licensee  
12 shall submit to the department an annual license renewal fee,  
13 not to exceed two thousand dollars, established by rule of the  
14 department adopted pursuant to chapter 17A.

15 4. A facility that does not comply with this chapter is  
16 subject to denial, suspension, or revocation of a license to  
17 operate an abortion facility.

18 **Sec. 5. NEW SECTION. 146F.5 Compliance inspections.**

19 The department shall inspect an abortion facility prior to  
20 initial issuance of the facility's license and annually prior  
21 to renewal of the license, and may inspect an abortion facility  
22 at reasonable times as necessary to ensure compliance with this  
23 chapter.

24 **Sec. 6. NEW SECTION. 146F.6 Adoption of rules — minimum  
25 standards for abortion facilities.**

26 1. The department shall adopt rules pursuant to chapter 17A  
27 for the issuance, renewal, denial, suspension, and revocation  
28 of a license to operate an abortion facility.

29 2. The department shall adopt rules pursuant to chapter 17A  
30 to establish minimum standards to protect the health and safety  
31 of a patient of an abortion facility. The minimum standards  
32 shall be evidence-based and shall address all of the following:

33 a. Facility safety and sanitation.

34 b. The qualifications and supervision of professional and  
35 other personnel.



1 an annual license renewal fee, not to exceed \$2,000, as  
2 established by administrative rule of DIA.

3 DIA is required to inspect an abortion facility prior to  
4 initial issuance of the facility's license and annually prior  
5 to renewal of the license, and may inspect an abortion facility  
6 at reasonable times as necessary to ensure compliance with the  
7 bill.

8 DIA shall adopt administrative rules for the issuance,  
9 renewal, denial, suspension, and revocation of a license  
10 to operate an abortion facility; and to establish minimum  
11 standards to protect the health and safety of a patient  
12 of an abortion facility. The minimum standards shall  
13 be evidence-based and shall address facility safety and  
14 sanitation; the qualifications and supervision of professional  
15 and other personnel; emergency equipment and procedures  
16 to provide emergency care; medical records and reports;  
17 procedure and recovery rooms; infection control; medication  
18 control; quality assurance; facility and laboratory equipment  
19 requirements, sanitation, testing, and maintenance; information  
20 on and access to patient follow-up care; and patient screening,  
21 assessment, and monitoring.

22 A facility that does not comply with the licensing and  
23 inspection requirements of the bill is subject to denial,  
24 suspension, or revocation of a license to operate an abortion  
25 facility.